

REMARKS

Claims 6-8, 12, 13, 18, 19, 22, 23, 30, 31, 34, 35 and 57-84 remain pending in the application as claims 14, 16, 53 and 55 are hereby canceled without prejudice or disclaimer.

Claim Objections

The Examiner objected to claims 83 and 84 for various informalities. Applicants submit that the present amendments to claims 83 and 84 obviate these objections.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 6-8, 12, 13, 18, 19, 22, 23, 30, 31, 34, 35, 57-68 and 79 under § 103(a) as being unpatentable over Meade (US 6,405,214) in view of Helterline et al. (US 6,039,430) and in further view of Goodwin (US 4,203,240). Applicants respectfully traverse these rejections for the reasons set forth below.

Claims 6, 7, 8 and 57-68

Claim 6 recites, *inter alia*, a deleting component that deletes lottery determination data from the memory element for preventing repeated awarding of prizes.

In particular, the Examiner contends that Meade teaches most of the features recited in claim 6, but concedes that Meade fails to teach or suggest: (1) a replaceable cartridge possessing a memory element; and (2) lottery determination data for determining whether something has been won being stored in the memory element.

To compensate for these deficiencies, the Examiner applies Helterline as teaching a replaceable cartridge possessing a memory element being installed in the image forming apparatus and Goodwin as teaching a method of placing identifying indicia in any container such

that when the container is returned to a designated place, a lottery-type drawing may be held.

However, Applicants submit that none of the applied references teach or suggest a deleting component that deletes the lottery determination data from the memory element.

In particular, Goodwin, which is applied by the Examiner to teach a lottery-type drawing provides identifying indicia in the form of a stamp, label or embossment, but fails to teach or suggest deleting any of this identifying indicia. Furthermore, because none of the other applied references contemplate any lottery determination data, they also fail to teach or suggest removing any lottery determination data.

Thus, because none of the applied references, taken either alone or in combination, teach or suggest a deleting component that deletes the lottery determination data, Applicants submit that claim 6 is allowable over the applied combination.

Additionally, because claims 7, 8 and 57-68 recited a feature similar to the feature argued above with regard to claim 6, Applicants submit that these claims are allowable for at least the same reasons set forth above.

Claims 12, 18, 22, 30 and 34

Claim 12 recites, *inter alia*, “a replacement cartridge possessing a memory element” and “a component that determines whether something has been won in connection with use of the image-forming apparatus or the host apparatus, and reads the prize data from the memory element and uses the prize data to award a prize to a user when the results of that determination indicate that something has been won and deletes the prize data from the memory element for preventing repeated awarding of prizes.”

The Examiner alleges that the Meade/Helterline/Goodwin combination teaches all the features recited in claim 12. In particular, the Examiner seems to apply Meade as teaching reading the prize data from the memory element and using the prize data to award a prize to a user. (*Office Action*, p. 3). However, Applicants submit neither the Meade/Helterline/Goodwin combination nor Meade itself teaches deleting the prize data from the memory element for preventing repeated awarding of prizes. While Meade appears to teach presenting promotions or discounts to the user based on a user's actual printing profile, no portion of Meade teaches or suggests reading this prize data is ever recorded in a memory element of the image forming apparatus. In fact, Meade teaches that this occurs in a third party website. (col. 5, lines 4-20).

For example, Meade discloses that when the user computer logs into the third party website, the client program transmits the transmittable file (containing information on printer use) to the third party server, which can then use the information to tailor site content to the specific user. Thus, the seller can present promotions or discounts to a user. (col. 5, lines 15-16). However, neither this portion of Meade nor the combined teachings of Meade, Helterline and Goodwin, teach or suggest that this promotion or discount information is ever stored on a memory element in the image forming apparatus, and then subsequently deleted to prevent the repeated awarding of prizes, as recited in claim 12.

Thus, Applicants respectfully submit that claim 12 is allowable over the applied combination of Meade/Helterline/Goodwin. Additionally, because claims 18, 22, 30 and 34 recite similar features to that argued above with regard to claim 12, Applicants submit that these claims are allowable for at least the same reasons set forth above.

Claims 13, 19, 23, 31 and 35

Claim 13 recites, *inter alia*, a subtracting component that subtracts an amount of use corresponding to the prize for usage data stored in the memory element.

The Examiner seems to allege that Meade teaches or suggests this feature. However, Applicants respectfully submit that neither Meade nor the combined teaches of the Meade/Helterline/Goodwin combination teach or suggest subtracting an amount of use corresponding to the prize from usage data in the memory element. In particular, Meade merely teaches of providing promotions and/or discounts based on a user's printing profile. (col. 5, lines 15-18). However, no portion of Meade relates the prize to an amount of use represented in the usage data. Additionally, Helterline is silent on awarding prizes and Goodwin does not contemplate any usage data.

Thus, because the applied combination fails to teach or suggest any subtracting component that subtracts an amount of use corresponding to the prize from usage data, Applicants submit that claim 13 is allowable over the applied combination. Additionally, because claims 19, 23, 31 and 35 recited features similar to the feature argued above with regard to claim 13, Applicants submit that these claims are allowable at least for the reasons set forth above.

Claim 79

Claim 79 recites, *inter alia*, writing a user ID for specifying a user from an image forming apparatus to a memory element which has a cartridge ID stored therein, the memory element being possessed by the cartridge attached to the image forming apparatus.

The Examiner seems to allege that Meade teaches or suggests this feature. In particular, the Examiner, citing column 5, lines 5-20 of Meade, alleges that Meade teaches or suggests writing a user ID for specifying a user to a memory element which has a cartridge ID stored therein, the memory element being possessed by the cartridge attached to the image forming apparatus. However, the portion of Meade cited by the Examiner is silent on this feature. Specifically, neither this portion nor any other portion of Meade teaches or suggests writing a user ID for specifying a user to a memory element possessed by a cartridge. In fact, Meade does not even mention any cartridges. Furthermore, Meade clearly teaches that the third party website garners the user's ID when the user logs into the third party website. (col. 5, lines 4).

Thus, because neither Meade nor the Meade/Helterline/Goodwin combination teaches or suggests writing a user ID for specifying a user to a memory element possessed by the cartridge attached to the image forming apparatus, Applicants submit that claim 79 is allowable over the applied combination.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 53, 55, 73, 74, 69-72 and 75-82 under § 103(a) as being unpatentable over Mead in view of Helterline and in further view of Hayward et al. (US 6,629,134).

Claims 69, 70, 73-75, 77 and 80-82

Claim 69 recites, *inter alia*, transmitting software for control, which is used when the client performs printing using the cartridge, to the client on the basis of the information indicating a printing environment which is transmitted from the client; and updating software

which requires to be updated to the software for control which has been received from the information providing server.

Applicants respectfully submit that neither Meade, Haywood nor Helterline, either taken alone or for their combined teachings, teach or suggest updating software which requires to be updated to the software for control.

The Examiner alleges that Meade teaches or suggests most of the features recited in claim 69, but concedes that Meade fails to teach or suggest updating software which requires to be updated to the software for control which has been received from the information providing server. (*Office Action*, p. 10). More specifically, the Examiner asserts that Helterline teaches a printer cartridge memory which stores the printer driver version number and the updating of said driver in the event that printing parameters change during operation of the printing system. (*Office Action*, p. 10, line 2; *citing* col. 6, lines 30-55 of Helterline).

However, Applicants respectfully submit that neither the portions cited by the Examiner nor any other portion of Helterline teaches or suggests updating software. To the contrary, Helterline suggests using the printer memory for storing operational parameters. (col. 6, line 15). These operational parameters include: ink usage, ink volume information, color map coefficients, printer driver version number, freshness date, etc. While Helterline teaches of storing the printer driver version number in the electrical storage device 38, no portion of Helterline is directed to updating of this printer driver in the event that parameters change, as alleged by the Examiner. (*Office Action*, p. 10, lines 3-4). Recording a current driver version number does not suggest in any way the updating of a printer driver. Helterline is silent on this feature.

Thus, Applicants respectfully submit that claim 69 is allowable for at least this reason. Additionally, Applicants submit that claims 70 and 80-82 are allowable, at least because of their dependency.

Similarly, because claims 75 and 77 recited features similar to those argued above with regard to claim 69, Applicants submit that these claims are allowable for at least the same reasons set forth above.

Claims 71, 72, 73, 74, 76, 78

Claim 71 recites, *inter alia*, supplying the printing data received from the information-providing server to the image forming apparatus as is.

In the Office Action, the Examiner fails to indicate any portion of any reference that teaches or suggests this feature. (*Office Action*, pp. 9-10). Additionally, Applicants submit that this feature is not taught or suggested by the applied combination of Meade, Hayward and Helterline.

Thus, Applicants submit that claim 71 is allowable for at least this reason. Additionally, because claims 76 and 78 recite a similar feature, Applicants submit that these claims are allowable for at least the same reasons set forth above. Furthermore, Applicants submit that claim 72 is allowable at least because of its dependency. Finally, because claims 73 and 74 are dependent upon both 71 and 69, in view of the arguments set forth above with regard to claims 71 and 69, Applicants submit that claims 73 and 74 are allowable, at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 83 and 84 under § 103(a) as being unpatentable over Helterline in view of Hayward. Applicants respectfully traverse this rejection for the reasons set forth below.

Applicants respectfully submit that the applied combination of Helterline and Hawyard fails to teach or suggest, “a first determining component for determining whether an update of the first computer program is necessary based on the cartridge type in the first information and the second program type information,” as recited in claim 83.

The Examiner appears to allege that Helterline teaches this feature. (*citing* col. 6, lines 15-53). However, in contrast, Applicants submit that this portion of Helterline merely teaches, as discussed above with regard to claim 69, that the electrical storage device 38 may store operational parameters. (col. 6, lines 15-55). Furthermore, no portion of Helterline even remotely discusses using first information and second information to determine if the update of a program is necessary. In fact, Helterline does not even discuss any computer program updating at all. Additionally, Hayward fails to compensate for this deficiency.

Thus, Applicants respectfully submit that claim 83 is allowable over the applied combination of Helterline and Hayward. Additionally, because claim 84 recites features similar to those argued above with regard to claim 83, Applicants submit that claim 84 is allowable for at least the same reasons set forth above.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

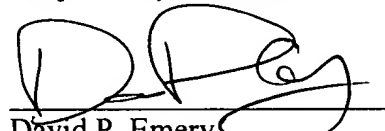
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. P. Emery', written over a horizontal line.

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